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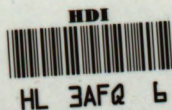
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The Commonwealth of Massachusetts.

SUPPLEMENT

TO

LAWS RELATING TO ELECTIONS,

CONTAINING

LAWS ENACTED BY THE GENERAL COURT DURING THE
SESSION OF 1911.

PREPARED BY THE
SECRETARY OF THE COMMONWEALTH.



BOSTON:

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The Commonwealth of Massachusetts.

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ACTS OF 1911.

CHAPTER 222.

AN ACT TO AUTHORIZE THE ELECTION OF HIGHWAY SURVEYORS FOR THE TERM OF THREE YEARS.

Be it enacted, etc., as follows:

SECTION 1. A town which has voted to accept the provisions of section three hundred and sixty-four of chapter five hundred and sixty of the acts of the year nineteen hundred and seven, or has voted to accept corresponding provisions of earlier laws, may at an annual meeting, if official ballots are not used, otherwise at a meeting held at least thirty days before the annual meeting at which said change is to become operative, vote that the term of office of the highway surveyor shall be three years.

Highway surveyors, term of office.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1911.

CHAPTER 304.

AN ACT RELATIVE TO THE DUTIES OF ELECTION OFFICERS.

Be it enacted, etc., as follows:

Section two hundred and fifty-one of chapter five hundred and sixty of the acts of the year nineteen hundred and seven is hereby amended by adding at the end thereof the following: — except that he shall when requested make a statement of the figures on the ballot box register, which statement shall not be considered an official declaration as to the state of the polls or of the number of ballots cast, — so as to read as follows: — *Section 251.* No election officer shall, before the public declaration of the vote, make any statement of the number of ballots cast, the number of votes given for any person, the name of any person who has voted or whose name has not been checked, or of any other fact

1907, 560, § 251, amended.

No statement to be made before declaration of vote except, etc.

tending to show the state of the polls, except that he shall when requested make a statement of the figures on the ballot box register, which statement shall not be considered an official declaration as to the state of the polls or of the number of ballots cast. *Approved April 20, 1911.*

CHAPTER 353.

AN ACT RELATIVE TO MAKING RETURNS OF CAUCUSES.

Be it enacted, etc., as follows:

1907, 560, § 105,
amended.

Returns of
caucuses at
which direct
nominations
are made, de-
termination of
results.

Section one hundred and five of chapter five hundred and sixty of the acts of the year nineteen hundred and seven is hereby amended by inserting after the word "town", in the third line, the words: — or where caucuses are held in one precinct or by groups of precincts in any ward, — so as to read as follows: — *Section 105.* Returns of all caucuses of political parties at which are made any direct nominations for a district comprising more than one ward or town, or where caucuses are held in one precinct or by groups of precincts in any ward, shall be made according to the provisions of section one hundred and thirty-seven. In Boston the election commissioners and in other cities and in towns the registrars of voters shall canvass said returns and determine the results thereof. Except that for the purpose of tabulating and determining the results of all such returns for members of the state committee in the Suffolk senatorial districts the chairman of the election commissioners of the city of Boston, the city clerk of the city of Chelsea, and the town clerks of the towns of Revere and Winthrop, shall constitute a canvassing board for the first district; the election commissioners of the city of Boston and the city clerk of the city of Cambridge shall constitute such board for the second and third districts; and the election commissioners of the city of Boston shall constitute such board for the remaining districts. Said canvassing boards shall meet for such purpose at the office of the election commissioners in Boston at ten o'clock in the forenoon of the Monday preceding the day on which certificates of nomination for senator are required by law to be filed with the secretary of the commonwealth. Said canvassing boards shall tabulate and determine the results of all such returns, and each canvassing board shall certify to the facts re-

quired by law. They shall furnish to the members of the state committee elected in the Suffolk senatorial districts certificates of their election and shall send to the secretary of the state committee of each political party the names and residences of the members of such party so elected. Recounts of ballots shall be made as provided in section one hundred and thirty-nine. In the case of candidates for a state office in a district comprising more than one ward and wholly within any one city, the city clerk, or in Boston the election commissioners, shall file in the office of the secretary of the commonwealth the certificate of nomination required by law. In the case of such candidates for a district not wholly within any one city or town, each city and town clerk in such district, or in Boston the election commissioners, shall file in the office of the secretary of the commonwealth, in the manner and within the time required by law for filing certificates of nomination, copies of the record of votes for such candidates, and the secretary shall canvass them and determine the results thereof.

Members of state committees to be furnished with certificates of election, etc.

Recounts of ballots.

Certificates of nomination to be filed.

Copies of records of votes to be filed with secretary of the commonwealth in certain cases.

Approved April 29, 1911.

CHAPTER 354.

AN ACT RELATIVE TO TABULATING AND DETERMINING THE RESULTS OF CAUCUSES.

Be it enacted, etc., as follows:

Section one hundred and seventy of chapter five hundred and sixty of the acts of the year nineteen hundred and seven is hereby amended by inserting after the word "precincts", in the second line, the words: — or by groups of precincts in any one ward, — so as to read as follows: —

1907, § 60, § 170, amended.

Section 170. The clerk of a city or town wherein caucuses are held by precincts, or by groups of precincts in any one ward, immediately upon receipt of the returns from the caucus officers, which shall be made as provided in section one hundred and thirty-seven, shall tabulate and determine the results thereof, and shall certify to the facts required by the following section, and in accordance with the provisions of sections one hundred and seventy-one and one hundred and seventy-six, except in cases where the nomination is for an office to be filled by the voters of a city or town, in which cases no such certificate shall be required. The clerk shall also issue proper certificates to the successful

Returns of precinct caucuses, tabulation of, etc.

Certificates to be issued, committees to be notified, etc.

candidates and notify the chairmen of the city or town committees of the respective parties as to the persons who have been elected delegates to conventions and members of ward and town committees. *Approved April 29, 1911.*

CHAPTER 355.

AN ACT RELATIVE TO THE SIGNING OF CERTIFICATES OF NOMINATION.

Be it enacted, etc., as follows:

1907, 560, § 171,
amended.

Certificate of
nomination;
contents, sig-
natures and
oath of office.

Secretary to
file certificate.

Section one hundred and seventy-one of chapter five hundred and sixty of the acts of the year nineteen hundred and seven is hereby amended by inserting after the word "town", in the fourth line, the words:—and except where caucuses are held in one precinct or by groups of precincts in any ward,—so as to read as follows:—*Section 171.* Every certificate of nomination shall state such facts as are required by section one hundred and seventy-five and except in cases of direct nomination for a district comprising more than one ward or town, and except where caucuses are held in one precinct or by groups of precincts in any ward shall be signed by the presiding officer and by the secretary of the convention or caucus, who shall add to their signatures their residences, and shall make oath to the truth thereof. The secretary of the convention or caucus shall within the seventy-two hours succeeding five o'clock in the afternoon of the day upon which the convention or caucus was held and within the time specified in section one hundred and seventy-seven, file such certificate as hereinafter provided.

Approved April 29, 1911.

CHAPTER 378.

AN ACT RELATIVE TO HOLDING CAUCUSES BY PRECINCTS OR IN MORE THAN ONE PLACE IN A WARD.

Be it enacted, etc., as follows:

1907, 560, § 97,
amended.

Section ninety-seven of chapter five hundred and sixty of the acts of the year nineteen hundred and seven is hereby amended by inserting after the word "precincts", in the sixth line, the words:—or by groups of precincts in any

ward, — and by striking out the words “each precinct”, in the seventh and eighth lines, and inserting in place thereof the words: — every such precinct or group of precincts in any ward, — so as to read as follows: — *Section 97.* If in a city, except Boston, or town wherein elections are held by precincts, the city or town committee of either of the two leading political parties shall file with the aldermen or selectmen, at least two weeks prior to the time of holding its caucuses, a notice that such party desires to hold its caucuses by precincts, or by groups of precincts in any ward, the aldermen or selectmen shall furnish a polling place in every such precinct or groups of precincts in any ward, for the use of such party, as provided in section one hundred and seventeen of this chapter, and the caucuses of such party shall be held accordingly.

Caucuses may be held by precincts or by groups of precincts in certain cases.

Approved May 1, 1911.

CHAPTER 422.

AN ACT RELATIVE TO CERTAIN POLITICAL ADVERTISEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section three of chapter five hundred and eighty-one of the acts of the year nineteen hundred and seven is hereby amended by adding at the end thereof the words: — *provided, however,* that this section shall not be construed to prevent the bona fide publication or circulation by such a corporation, or such trustee or trustees, of paid matter when under a referendum or question submitted to the voters, the taking, purchasing or acquiring of any of the property, business or assets of the corporation is involved, provided that the name of the corporation appears therein in the nature of a signature, and that, if inserted as reading matter, such matter is preceded or followed by the word “advertisement”, in the manner required by section one, — so as to read as follows: — *Section 3.* No corporation carrying on the business of a bank, trust, surety, indemnity, safe deposit, insurance, railroad, street railway, telegraph, telephone, gas, electric light, heat, power, canal, aqueduct, or water company, or any company having the right to take or condemn land or to exercise franchises in public ways granted by the commonwealth or by any county, city or town, and no trustee or trustees owning

1907, 581, § 3, amended.

Certain corporations, etc., not to make political contributions.

Proviso.

or holding the majority of the stock of such a corporation, shall pay or contribute in order to aid, promote, or prevent the nomination or election of any person to public office, or in order to aid, promote or antagonize the interests of any political party, or to influence or affect the vote on any question submitted to the voters. No person shall solicit or receive such payment or contribution from such corporation or such holders of stock: *provided, however*, that this section shall not be construed to prevent the bona fide publication or circulation by such a corporation, or such trustee or trustees, of paid matter when under a referendum or question submitted to the voters, the taking, purchasing or acquiring of any of the property, business or assets of the corporation is involved, provided that the name of the corporation appears therein in the nature of a signature, and that, if inserted as reading matter, such matter is preceded or followed by the word "advertisement", in the manner required by section one.

SECTION 2. This act shall take effect upon its passage.

Approved May 9, 1911.

CHAPTER 436.

AN ACT RELATIVE TO THE APPOINTMENT OF DEPUTY ELECTION OFFICERS IN CERTAIN CITIES.

Be it enacted, etc., as follows:

Appointment
of deputy
election officers
in certain
cities.

SECTION 1. In cities which accept the provisions of this act the following election officers shall not be appointed: — deputy warden, deputy clerk and deputy inspectors.

When to take
effect.

SECTION 2. This act shall take effect in any city upon its acceptance by the board of aldermen or by the board having the powers of a board of aldermen, but not otherwise.

Approved May 13, 1911.

CHAPTER 517.

AN ACT RELATIVE TO POLLING PLACES FOR CAUCUSES.

Be it enacted, etc., as follows:

Section one hundred and seventeen of chapter five hundred and sixty of the acts of the year nineteen hundred and seven is hereby amended by inserting after the word "precincts", in the eleventh line, the words:— as the city or town committee shall designate, but not less than one for each ward, — and by inserting after the word "elections", in the thirteenth line, the words:— also postage for mailing credentials and notices or certificates of nomination and election, — so as to read as follows:— *Section 117.* At least two weeks prior to the day named for a caucus, the chairman or secretary of the city or town committee shall give notice of such date to the aldermen or to the selectmen, or in Boston to the election commissioners, who shall, at least ten days prior to such date, notify the city or town committee of the places selected for holding the caucuses, and shall, at the expense of the city or town, provide polling places, in a city not less than one for each ward, and in cities and towns where elections or caucuses are held in voting precincts, one in each of such precincts as the city or town committee shall designate, but not less than one for each ward, and furnish them with booths, registering ballot boxes, guard rails and the like, as they are arranged for state elections, also postage for mailing credentials and notices or certificates of nomination and election.

1907, 560, § 117,
amended.

Polling places,
etc., to be pro-
vided.

Postage for
mailing cre-
dentials, etc.,
to be pro-
vided.

Voting may
proceed in two
or more lines
in certain
cases.

If twenty-five voters of a ward or of a town shall request in writing at least twelve days before any caucus of the political party to which they belong, the aldermen or selectmen shall so arrange the polling place of such ward or town as to allow voting to proceed in two or more lines at the caucus.

Approved June 2, 1911. .

CHAPTER 518.

AN ACT RELATIVE TO THE APPOINTMENT OF CAUCUS OFFICERS.

*Be it enacted, etc., as follows:*1907, 560, § 143,
amended.Appointment
of caucus of-
ficers in cer-
tain cases.

Section one hundred and forty-three of chapter five hundred and sixty of the acts of the year nineteen hundred and seven is hereby amended by adding at the end thereof the words: — Where additional polling places are provided, after the election of caucus officers, officers to act in such polling places shall be appointed by the city committee, — so as to read as follows: — *Section 143.* In a newly incorporated city, or upon a re-division into wards of a city to which the said provisions apply, the caucus officers to serve in the first caucuses held in the next succeeding year shall be appointed by the city committee; and at such caucuses the regular caucus officers shall be chosen. Where additional polling places are provided, after the election of caucus officers, officers to act in such polling places shall be appointed by the city committee.

Approved June 2, 1911.

CHAPTER 550.

AN ACT RELATIVE TO THE DIRECT NOMINATION OF CANDIDATES FOR STATE OFFICES, THE ELECTION OF STATE, WARD AND TOWN COMMITTEES AND DELEGATES TO STATE CONVENTIONS AND THE HOLDING OF STATE CONVENTIONS OF POLITICAL PARTIES.

*Be it enacted, etc., as follows:*Nomination
of certain
candidates
and election
of certain com-
mittees, etc.,
to be by di-
rect plurality
vote in pri-
maries.Number of
members of
certain com-
mittees and
delegates to

SECTION 1. The nomination of candidates of political parties for all offices to be filled at a state election, excepting the office of presidential elector, and the election of district members of state committees, members of ward and town committees, and of delegates to state conventions of political parties shall be by direct plurality vote in primaries.

The number of district members of the state committee, not less than one from each senatorial district, and the number of delegates to the state convention, not less than

one for each ward or town, to be elected, shall be fixed by the state committee, and the number of members of ward and town committees, not less than three for each ward and town, to be elected, shall be fixed by the city and town committees. Notice of the number of delegates and of members of committees shall be given by the state, city or town committees, as the case may be, to the secretary of the commonwealth, on or before the first day of August. Wherever in this act the word "aldermen" is used it shall include the boards or officials having the powers of aldermen in a city which does not have a board of aldermen.

state conventions, how determined.

Notice to be given on or before August 1st, etc.

SECTION 2. Such primaries shall be held on the sixth Tuesday preceding the state election.

When primaries are to be held.

In cities or towns where the question of holding primaries by wards, precincts, or groups of precincts is determined by the aldermen or selectmen, notice of such determination shall be given to the secretary of the commonwealth, by the aldermen or selectmen on or before the first day of August.

Primaries may be held by wards, precincts, etc. Notice to be given on or before August 1st.

SECTION 3. The polls at every primary shall be open during such hours, not less than nine in cities or two in towns, as may be designated by the board of election commissioners in Boston, the aldermen in other cities, and the selectmen in towns.

Polls to be open during certain hours.

SECTION 4. The nomination of candidates for nomination at primaries shall be by nomination papers. In the case of offices to be filled by all the voters of the commonwealth such papers shall be signed in the aggregate by at least one thousand voters, not less than two hundred and fifty to be from each of four different counties. In the case of all other offices to be filled at a state election, by a number of voters equal in the aggregate to five voters for each ward or town in the district or county, but in no case shall more than two hundred and fifty be required.

Nominations to be made by nomination papers, number of signatures, etc.

The nomination of candidates for election at primaries shall be made as in the case of candidates for nomination for state offices other than those to be filled by all the voters of the commonwealth.

The same.

SECTION 5. Every nomination paper shall state, in addition to the name of the candidate, (1) his residence, with street and number thereof, if any, (2) the office for which he is nominated, (3) the political party which he represents, and the paper may state, in not more than eight

Nomination papers, contents, etc.

words, the occupation of the candidate, the public offices which he has held, or that he is a candidate for renomination, provided he is at the time an incumbent of the office for which he seeks renomination for another term, but not otherwise. Every voter who signs such paper shall sign it in person, with his full surname, his Christian name, and the initial of every other name which he may have, and shall state his residence of the previous first day of April, as well as the place where he is then living, with the street and number thereof; but any voter who is prevented by physical disability from writing, or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven, may authorize some person to write his name and residence in his presence; and every voter may sign as many nomination papers for each office to be filled as there are persons to be nominated for or elected thereto, and no more.

Voters to sign in person, etc.

Paper to contain certain statement, etc.

Penalty.

Such paper shall also contain the statement that the signers thereof are members of the party represented by the candidate and are entitled to vote in the caucuses or primaries of that party; and whoever knowingly subscribes falsely to a statement on a nomination paper shall be punished by imprisonment for not more than five days or by a fine not exceeding fifty dollars.

After July 1st, 1912, only enrolled voters of party to sign nomination papers.

Nomination papers to contain name of only one candidate except, etc.

Signatures to be certified, etc.

From and after the first day of July in the year nineteen hundred and twelve none but enrolled voters of the party represented by a candidate shall be entitled to sign the nomination paper of such candidate. No nomination paper shall contain the name of more than one candidate except in the case of delegates to the state convention and members of ward and town committees.

SECTION 6. Every nomination paper shall be submitted on or before five o'clock in the afternoon of the Saturday preceding the day on which it must be filed to the registrars of the city or town in which the signers appear to be voters, and in Boston to the election commissioners, who shall forthwith certify thereon the number of signatures which are names of voters, and from and after the first day of July in the year nineteen hundred and twelve, enrolled voters, of the party represented by the candidate whose name appears in the nomination paper both in city or town and in the district for which the nomination is made. They need not certify a greater number of names than are re-

quired to make a nomination with one fifth of such number added thereto. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The secretary of the commonwealth shall not be required in any case to receive nomination papers for a candidate after receiving papers containing a sufficient number of certified names to make a nomination, with one fifth of such number added thereto.

No person shall be a candidate for nomination for more than one office for which nominations are made under this act; but this shall not apply to candidates for membership in political committees or delegations to the state convention.

No person to be a candidate for more than one office, except, etc.

SECTION 7. Nomination papers for use under this act shall be prepared and furnished by the secretary of the commonwealth, upon request.

Nomination papers to be furnished by secretary of the commonwealth, upon request.

SECTION 8. All nomination papers of candidates to be voted for at state primaries under this act shall be filed with the secretary of the commonwealth on or before the fourth Tuesday preceding the day of the primaries.

With whom filed, etc.

SECTION 9. A person who is nominated to be voted for at a primary under this act may, within seventy-two week-day hours succeeding five o'clock of the last day fixed for filing nomination papers, withdraw his name from nomination by a request in writing signed by him and acknowledged before a justice of the peace, and filed with the secretary of the commonwealth.

Withdrawal of candidates.

SECTION 10. If a person nominated to be voted for at a primary under this act dies before the day of the primary, or withdraws his name from nomination, or is found to be ineligible, the vacancy may be filled, in the case of a candidate for nomination, by the state committee, if the candidate is one to be voted for by all the voters of the commonwealth; and in the case of all other candidates, by the members of the ward and town committees in the wards and towns comprising the respective districts, and in the case of a candidate for election, by the said ward and town committees: *provided, however*, that the death, withdrawal or ineligibility of a candidate for nomination shall not be treated as creating a vacancy to be filled unless by reason of such vacancy there would be no candidate for the party nomination for the office.

Vacancies, how filled.

Proviso.

SECTION 11. Objections to nomination papers and all

Objections, etc., to be de-

terminated by the state ballot law commission.

Ballots to be provided by the secretary of the commonwealth.
Proviso.

Arrangement of names on ballots.

Proviso.

Enrolment of voters, etc.

Party enrolment, etc., to be transferred to voting lists used at subsequent primaries, etc.

Enrolment may be changed, etc.

other questions relating thereto shall be considered and determined by the state ballot law commission.

SECTION 12. Ballots for use at primaries under this act shall be prepared and provided, and the number thereof determined, by the secretary of the commonwealth, and no other ballots shall be received or counted: *provided, however*, that if the ballots provided for any polling place are not delivered, or if after delivery they are lost, destroyed or stolen, the city or town clerk or election commissioners shall prepare ballots similar as far as possible, which ballots may be used.

In the preparation of the ballot names of candidates for ward or town committees and for delegates to the state convention shall be arranged in groups in such order as may be determined by lot, under the direction of the secretary of the commonwealth, who shall notify each state committee and give a representative of each committee an opportunity to be present; *provided, however*, that, when necessary, groups may be printed on the ballot in two or more columns.

SECTION 13. When, in a primary, a voter seeks to pass the guard rail, he shall be asked by one of the ballot clerks, with which political party he desires to be enrolled, and the ballot clerk upon reply shall distinctly announce the name of such political party and give him such political party ballot. The voter's selection shall be checked on the voting list used by the ballot clerk and such list shall be returned to the election commissioners in Boston, or to the city clerk in any other city, or to the town clerk in towns, for preservation during the next succeeding five calendar years.

The party enrolment of voters on such voting lists, and all subsequent party enrolment of voters, shall be transferred each year to the voting lists used at subsequent primaries, providing the names of such voters have been entered, in Boston, in the annual register prepared by the election commissioners from the police lists, and in other cities and in towns, in the annual register prepared from the assessors' lists.

SECTION 14. No voter enrolled under the provisions of this chapter shall be allowed to receive the ballot of any political party except that with which he is so enrolled, but he may establish, change or cancel his enrolment by appearing in person before the election commissioners in Boston, the city clerk in any other city, or the town clerk in towns,

and requesting in writing to have his enrolment established, changed to another party, or cancelled: *provided*, that such change shall not take effect until the expiration of ninety days after the voter so appears, and in case of cancellation the voter shall not be entitled to vote at any primary held under this act until the expiration of one year from the date of cancellation.

Proviso.

No voter enrolled as a member of one political party shall be allowed to receive the ballot of any other political party, upon a claim by him of erroneous enrolment, except upon a certificate of such error from the election commissioners or board of registrars, as the case may be, which certificate shall be presented to the presiding officer of the primary and preserved as part of the records of such primary.

Enrolled voter not to receive ballot of another political party, except, etc.

SECTION 15. No ballots cast at a primary under this act shall be counted until the close of the polls.

Ballots not to be counted until close of polls.

SECTION 16. Upon the receipt of the records of votes cast at primaries held under this act the city or town clerk or election commissioners shall forthwith canvass the same and make return of the votes for candidates for nomination for state offices, and for election as members of the state committee, to the secretary of the commonwealth, who shall forthwith canvass such returns, determine the results thereof, notify the successful candidates, and certify to the state committees the names of the persons nominated for state offices and elected as members of the state committees, and as delegates to the state conventions.

City and town clerks, etc., to forthwith canvass records of votes and make returns, etc.

Said clerks or commissioners shall determine the results of the vote for members of ward and town committees, issue proper certificates thereof to the successful candidates, and notify the chairmen of the city and town committees of the respective parties.

To determine results of vote for members of ward and town committees, etc.

SECTION 17. In case of a tie vote for any candidate for nomination for an office to be filled by all the voters of the commonwealth the vacancy shall be filled by the state committee.

Filling of vacancies in case of tie vote in certain cases.

In case of a tie vote for any other candidate for nomination the vacancy shall be filled by the members of the ward and town committees in the wards and towns comprising the districts for which the nominations are to be made.

The same.

If a majority of a delegation, or of a ward or town committee, is not elected the vacancy shall be filled by the ward or town committees.

Vacancy in ward or town committee, how filled.

Vacancies caused by ties, how filled.

Political parties may hold state conventions.

All vacancies caused by ties shall be filled only by the choice of one of the candidates receiving the tie vote.

SECTION 18. A political party may, upon the call of its state committee, but not earlier than one week after the holding of the primaries, hold a state convention for the purpose of adopting a platform, electing such number of members at large of the state committee as may be fixed by the state committee, nominating presidential electors, and for such other purposes not inconsistent with this act as the state committee or the convention may determine. Such convention shall consist of the delegates elected at the regular primaries (in number not less than one for each ward and town), the members of the state committee, the United States senators from Massachusetts who are members of the party, the nominees of the party for all offices to be filled at the state election, and in years in which no elections are held for such offices, the incumbents of those offices who are members of the party.

Secretary of the commonwealth may employ temporary clerical assistance.
Proviso.

SECTION 19. The secretary of the commonwealth may employ such temporary clerical assistance as he may deem necessary to carry out the provisions of this act: *provided, however,* that the provisions of chapter nineteen of the Revised Laws and the civil service rules made thereunder shall not apply to such employment.

Certain provisions of law to apply.

SECTION 20. All existing provisions of law relating to primaries not inconsistent with this act shall apply thereto as far as practicable.

Repeal.

SECTION 21. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 22. This act shall take effect upon its passage.

Approved June 16, 1911.

CHAPTER 679.

AN ACT RELATIVE TO PRIMARIES AND ELECTIONS.

Be it enacted, etc., as follows:

1907, 560, § 316, amended.

SECTION 1. Chapter five hundred and sixty of the acts of the year nineteen hundred and seven is hereby amended by striking out section three hundred and sixteen, and inserting in place thereof the following: — *Section 316.* No person shall, in order to aid or promote his own nomination

Payments by candidates regulated.

or election to a public office, directly or indirectly, himself or through another person, give, pay, expend or contribute, or promise to give, pay, expend or contribute, any money or other valuable thing, except for personal expenses or to a political committee as hereinafter provided. The words "personal expenses", as used in this chapter, shall include only expenses directly incurred and paid by a person for travelling and for purposes properly incidental to travelling; for writing, printing and preparing for transmission and distributing any letter, circular, or other publication, wherein is stated his position or views upon public or other questions; for stationery and postage; for telegraph, telephone and messenger service, expressage, and for preparing, circulating and filing nomination papers, and for the hire of not more than one conveyance to be used at each polling place at primaries only.

Term
"personal
expenses,"
defined.

No person not a candidate for nomination or election, and no political committee, as defined in section three hundred and fourteen shall, in order to aid, promote or defeat the nomination or election of any person to public office, pay, expend or contribute, or promise to pay, expend or contribute, any money or valuable thing except in good faith for the following purposes: advertising, rent and maintenance of political headquarters, meetings, refreshments other than intoxicating liquors, decorations and music, postage, stationery, printing, expressage, travelling expenses of candidates, committees, speakers and clerks, telephone, telegraph, messenger service and clerk hire, and for preparing, circulating and filing nomination papers; but a political committee may expend money for the hire of not more than one conveyance to be used at each polling place at elections only.

Purposes for
which certain
persons and
political com-
mittees may
make expend-
itures, etc.

SECTION 2. Section three hundred and seventeen of said chapter five hundred and sixty is hereby amended by striking out the said section and inserting in place thereof the following: — *Section 317.* A person who is a candidate for nomination or who is nominated as a candidate or voted for with his assent for public office, may make a voluntary payment of money or a voluntary and unconditional promise of payment of money to a political committee for the promotion of the principles of the party which it represents, or for its general purposes. No candidate for nomination or election or both, shall in any one

1907, 560, § 317,
amended.

Voluntary
payment to
political com-
mittee.

Payments,
etc., by can-
didates
limited.

election, including the primary therefor, make or incur, directly or indirectly, any payments, expenditures, promises or liabilities under this section which exceed in the whole twenty-five dollars for each one thousand or major portion thereof of the registered voters qualified to vote for the office in question at the next preceding election, but no candidate shall expend more than five thousand dollars, and any candidate may expend at least one hundred and fifty dollars for the said purposes.

1907, 560, § 319,
amended.

Soliciting,
etc., from
candidate
prohibited,
etc.

Candidates
not to make
payment,
etc., when
solicited.

SECTION 3. Section three hundred and nineteen of said chapter five hundred and sixty is hereby amended by striking out the said section and inserting in place thereof the following: — *Section 319.* No person or persons, no political committee and no person acting under the authority of a political committee or in its behalf, shall demand, solicit, ask or invite from a person who is a candidate for nomination or election to public office, or who is occupying an elective public office, any payment or gift of money or other valuable thing, or promise of payment or gift of money or other valuable thing for advertising, gratuities, donations, tickets, programmes, or any other purpose whatsoever; and no such candidate for nomination or election, and no one who is occupying an elective public office, shall make any such payment or gift, or promise to make any such payment or gift, to any person or persons, political committee, or any person acting under the authority of a political committee, if such person or political committee has demanded, solicited, asked, or invited from him any such payment, gift or promise of payment or gift; but this provision shall not apply to the soliciting or making in good faith of gifts for charitable or religious purposes.

1907, 560, § 325,
amended.

Candidates
to file state-
ment.

SECTION 4. Section three hundred and twenty-five of said chapter five hundred and sixty is hereby amended by striking out the said section and inserting in place thereof the following: — *Section 325.* Every candidate for nomination to a public office shall, within seven days after the last day for filing nominations for that office, and every candidate for election to a public office shall within seven days after the election held to fill the office, file a statement in writing setting forth each sum of money and thing of value expended, contributed or promised by him, for the purpose of securing or in any way affecting his nomination or election to the office, and the name of the person or political

committee to whom the payment, contribution or promise was made and the date thereof.

SECTION 5. Whoever is convicted of wilfully violating any provision of law relating to corrupt practices in elections shall be deemed ineligible to hold public office for three years following the date of his conviction. Penalty.

SECTION 6. If a person elected to public office is convicted of any wilful violation of the law relating to corrupt practices in connection with the primary or election at which he was nominated or elected, his office shall thereby be vacated, and a new election shall be held for the purpose of filling the same. Office to be vacated in certain cases, etc.

SECTION 7. Nothing in this act shall be construed to repeal chapter five hundred and eighty-one of the acts of the year nineteen hundred and seven or chapter four hundred and eighty-three of the acts of the year nineteen hundred and eight. Certain provisions of law not affected.

SECTION 8. This act shall take effect upon its passage.
Approved July 15, 1911.

CHAPTER 735.

AN ACT RELATIVE TO CAUCUSES OF POLITICAL PARTIES.

Be it enacted, etc., as follows:

Section one hundred and forty of chapter five hundred and sixty of the acts of the year nineteen hundred and seven is hereby amended by striking out the words "delegates to the state convention", in the first and second lines, and inserting in place thereof the words: — candidates for a city or town election, — and by striking out the word "October", in the sixteenth line, and inserting in place thereof the words: — the month, — so as to read as follows: —
Section 140. At the caucus held for the choice of candidates for a city or town election there shall be chosen annually a warden, a clerk, and at least five inspectors, and, in wards having more than five precincts, such additional inspectors as the city committee of the political party whose caucuses are to be held may determine. They shall be voters of the ward or town in which they are elected and members of the political party whose caucus is to be held. No person shall be eligible to the position of warden or clerk or in- 1907, 560, § 140, amended.
Caucus officers, election, etc.
Certain persons not eligible, etc.

Terms of
office, oath,
etc.

Duties.

spector who is a state, county or city employee, or who is a member of a ward or town committee, and no person shall serve as a caucus officer at any caucus wherein he is a candidate for a nomination to an elective office, or for ward or town committee. Every caucus officer shall hold office for one year, beginning with the first day of the month succeeding his election, and until his successor is elected. He shall, before entering upon the performance of his duties, be sworn to the faithful performance thereof by the warden, clerk, or a justice of the peace, and a record of such oath shall be made upon the record book of such caucus. The respective duties of caucus officers shall be in general the same as are required of election officers at elections.

Approved July 19, 1911.

CHAPTER 745.

AN ACT RELATIVE TO THE MEETINGS OF REGISTRARS OF VOTERS FOR THE PURPOSE OF CERTIFYING TO NAMES ON NOMINATION PAPERS.

Be it enacted, etc., as follows:

Meetings of
registrars to
be held once
each week
during August.

SECTION 1. It shall be the duty of the board of registrars to hold meetings at least once each week during the month of August of each year for the purpose of certifying to the names on nomination papers nominating candidates to be voted for at the primaries.

SECTION 2. This act shall take effect upon its passage.

Approved July 21, 1911.



